

**No. 13-20-00140-CV**

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**In the Thirteenth Court of Appeals**  
**Corpus Christi/Edinburg, Texas**

FILED IN  
13th COURT OF APPEALS  
CORPUS CHRISTI/EDINBURG, TEXAS  
6/23/2020 4:31:08 PM  
KATHY S. MILLS  
Clerk

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**RICARDO MALDONADO DAVILA**

**APPELLANT,**

**V.**

**M&M TOWING AND RECOVERY INC.**

**APPELLEE,**

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**On Appeal from the County Court at Law No. 4**  
**Hidalgo County, Texas, Trial Court Cause No. CL-19-5371-D**

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**APPELLEE'S SECOND OPPOSED MOTION FOR**  
**EXTENSION OF TIME TO FILE REPORTER'S RECORD**

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**Respectfully submitted,**

**RAUL A. ACEVEDO, JR.**  
**ACEVEDO LAW FIRM, PLLC**  
**5717 N 10<sup>TH</sup> ST, SUITE D**  
**McAllen, Texas 78504**  
**Telephone: (956) 215-8888**  
**Facsimile: (866) 427-1643**  
**Appellate Attorney for Appellee**  
**State Bar No. 24088855**

MAY IT PLEASE THE COURT:

COMES NOW Ricardo Maldonado Davila, by and through his attorney Acevedo Law Firm, PLLC (Raul A. Acevedo, Jr.) and hereby respectfully moves the Court for the entry of an Order allowing a thirty (30) day extension in which to file the Reporter's Record, pursuant to Tex. R. App. P. 10.5(b).

As grounds for the Motion, Appellee/Plaintiff states as follows:

1. The Judge of County Court at Law No. 4 signed judgment on application for tow hearing on Feb. 12, 2020.

2. Appellant filed a notice of appeal on March 12, 2020.

3. Appellant's attorney has requested the reporter's record.

4. As a result of the ongoing pandemic, Appellant is having economic hardship and is having problems paying for the reporter's record.

5. Appellant previously filed his First Opposed Motion for Extension of time to file Reporter's Record on the 22<sup>nd</sup> day of May 2020. The Court granted said Motion.

6. Because of the foregoing, Appellant requests another 30 days to alleviate the above referenced problem.

7. Appellant's counsel has attempted to confer with counsel for Appellee about the relief requested herein and believes that Appellee is OPPOSED to the

additional time requested.

8. This request is not made to unduly delay the disposition of the case, but rather because additional time is needed to make the alleviate the above referenced problem.

**WHEREFORE**, Appellant RICARDO MANUEL DAVILA requests that the Court GRANT this motion and enter an Order extending the time to file the reporter's record to July 22, 2020.

Respectfully submitted,

By: \_\_\_\_/s/ Raul A. Acevedo, Jr.

RAUL A. ACEVEDO, JR.

State Bar No. 24088855

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### **CERTIFICATE OF CONFERENCE**

I certify that on or before this the 23<sup>rd</sup> day of June 2020, I attempted to confer with the Hon. John David Franz, counsel for M&M Towing & Recovery, Inc., about the relief sought herein, but did not get a response from the Hon. John David Franz, but based on Appellee's Opposition of the Appellant's First Motion Four Extension of Time, Appellant's Counsel believes the Appellee is OPPOSED the relief sought herein.

/s/ Raul A. Acevedo, Jr.  
RAUL A. ACEVEDO, JR.

### **CERTIFICATE OF SERVICE**

I certify that on this 23<sup>rd</sup> day of May 2020, I caused a true and correct copy of the foregoing Motion for Extension of Time to be served by via email and/or eservice to the following counsel of record:

Hon. John David Franz  
**Law Office of John David Franz**  
400 N. McColl, Suite B  
McAllen, Texas 78501  
(956) 686-3300  
(956) 686-3578 (Fax)  
[df@johndavidfranz.com](mailto:df@johndavidfranz.com)  
**Attorney for Appellee/Appellee M&M Towing and Recovery, Inc.**

/s/ Raul A. Acevedo, Jr.  
RAUL A. ACEVEDO, JR.

### **Automated Certificate of eService**

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Raul Acevedo, Jr.  
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Associated Case Party: Ricardo Maldonado Davila

Name	BarNumber	Email	TimestampSubmitted	Status
Raul ArtemioAcevedo, Jr.		racevedo@acevedo-law.com	6/23/2020 4:31:08 PM	SENT

Associated Case Party: M&M Towing & Recovery, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
John David Franz	7389200	jdf@johndavidfranz.com	6/23/2020 4:31:08 PM	SENT